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OFFICE OF PETITIONS

In re Application of
Maurice Sharp
Application No. 10/087,373
Filed: February 28, 2002
Attorney Docket No. PALM-3781

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed, October 16, 2002 , to revive the above-identified application, which is being treated as a petition for a five-month extension of time.

The petition for a five-month extension of time is granted.

Pursuant to the provisions of 37 CFR 1.136(a), extensions of time are available up to five months since the time period for responding to the Notice to File Missing Parts is not subject to the six-month maximum period specified in 35 USC 133. Note Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131 (October 10, 1997), 1203 Off. Gaz. Patent Office 63 (October 21, 1997). The petition to revive and reply were filed prior to the expiration of the extendible time period provided by 37 CFR 1.136(a). Accordingly, since extensions of time were available at the time of the filing of the petition to revive and reply, the petition to revive is unnecessary and is dismissed as moot.

The \$1040 balance due for the five-month extension of time fee will be charged to petitioner's Deposit Account No. 23-0085. The fee of \$1280 for the petition under 37 CFR 1.137(b) will be credited to petitioner's deposit account.

The application is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this decision should be directed to Latrice Bond at (703) 308-6911.



Latrice Bond
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy